

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

BRIAN CUMMINGS,)
Plaintiff,)
v.) Case No. 3:22-cv-00301
BRETTON KEEFER, on behalf of the) Chief Judge Waverly D. Crenshaw, Jr.
deceased CHESTA SHOEMAKER,) Magistrate Judge Alistair E. Newbern
AFSOON HAGH, and)
JEANNE BURTON, Trustee on behalf)
of CUMMINGS MANOOKIAN, PLC,)
Defendants.)

MOTION FOR ADDITIONAL TIME FOR SERVICE OF PROCESS

Plaintiff Brian Cummings respectfully moves this Court for an Order pursuant to Rule 4(m) of the Federal Rules of Civil Procedure granting an additional 90 days, to and including December 26, 2022, within which time to serve the Defendants in this case. Plaintiff has a pending request for additional time for service of process upon Defendant Hagh, and is now modifying that request to ask this Court to grant additional time to serve both Defendant Hagh and Defendant Keefer.

Plaintiff previously filed a Return of Service for Defendant Keefer following delivery via Certified Mail. (Doc. No. 21.) However, following the filing of the Return of Service, Plaintiff's counsel received a letter from John Spragens, raising questions about the sufficiency of service. (Doc. No. 25, PageID# 112, at ¶ 2; Doc. No. 25-1.) Mr. Spragens also offered to obtain Defendant Keefer's current residence to allow Plaintiff to correct any deficiencies in service. (Doc. No. 25-1, PageID# 116.) Plaintiff's counsel contacted Mr. Spragens repeatedly by telephone, email, and U.S. Mail; however, Mr. Spragens has not responded to any communications. (Doc. No. 25, PageID# 113, at ¶¶ 3-4.)

In light of the concerns raised by Mr. Spragens regarding sufficiency of service, Plaintiff asks this Court to grant Plaintiff an additional 90 days to effect service on Defendant Keefer so that Plaintiff may remove any deficiencies of service.

Respectfully Submitted,

/s/ James W. Price, Jr.
James W. Price, Jr., #3538
Attorney for Plaintiff
Price, Hill, Kolarich, & Moore
214 2nd Avenue North, Suite 205
Nashville, TN 37201
(615) 244-5772

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served on this the 21st day of September, 2022, via the Court's electronic filing system on the following:

Phillip G. Young, Jr.
Thompson Burton PLLC
1801 West End Avenue, Suite 1550
Nashville, TN 37203
phillip@thompsonburton.com

and via United States First Class mail, postage prepaid on the following:

Bretton Keefer
5960 Pumpkintown Lane
Lafayette, TN 37083

Afsoon Hagh
Hagh Law PLC
1906 Glen Echo Road, #150229
Nashville, TN 37215

/s/ James W. Price, Jr.